



By: _____

H.B. No. 2999

A BILL TO BE ENTITLED

AN ACT

relating to the generation of hydroelectric power by the Sabine River Authority in the Toledo Bend Reservoir.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 14, Chapter 110, Acts of the 51st Legislature, Regular Session, 1949 (Article 8280-133, Vernon's Texas Civil Statutes), is amended by amending Subsection (k) and adding Subsections (k-1), (k-2), and (o-1) to read as follows:

(k) Except as provided by Subsection (k-1), the [The] district may provide for the control, storing and employment of said waters in the development and distribution of hydro-electric power, where such use may be economically co-ordinated with other and superior uses, and subordinated to the uses declared by law to be superior.

(k-1) The district may not use or sell the use of the waters of the Toledo Bend Reservoir to generate hydro-electric power if the mean sea level of the reservoir is below 168 feet, unless:

(1) the Federal Energy Regulatory Commission or another federal agency orders or requires a reduction in the water level of the reservoir to inspect or repair the dam;

(2) the failure to use or sell the use of the waters of the reservoir to generate hydro-electric power will result in a supply of electric power that does not meet the demand of the firm or uninterruptible users of the power; or

1 (3) the failure to use the reservoir waters to
2 generate hydro-electric power will result in the failure to satisfy
3 minimum down-river flow requirements necessary to:

4 (A) meet water sales from the diversion canals of
5 the Sabine River channel and diversion system; and

6 (B) deter saltwater encroachment.

7 (k-2) If the district does not sell the use of the waters of
8 the Toledo Bend Reservoir because Subsection (k-1) applies, the
9 difference between the price paid by the electric utility to
10 purchase power on the open market and the price the electric utility
11 would have paid for hydro-electric power from the district does not
12 affect existing or future system power agreements between
13 multi-state electric utilities.


14 (o-1) The board of directors of the district may charge an
15 electric utility the current market rate for hydro-electric power.

16 SECTION 2. This Act takes effect immediately if it receives
17 a vote of two-thirds of all the members elected to each house, as
18 provided by Section 39, Article III, Texas Constitution. If this
19 Act does not receive the vote necessary for immediate effect, this
20 Act takes effect September 1, 2007.

2009
H.B. No. _____

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MAR - 7 2007

Filed with the Chief Clerk

MAR 15 2007

Read first time and referred to Committee on **Regulated Industries**

Reported _____ favorably (as amended)
(as substituted)

Sent to Committee on (Calendars)
(Local & Consent Calendars)

Read second time (comm. subst.) (amended); passed to third reading (failed) by a (non-record vote)
(record vote of _____ yeas, _____ nays, _____ present, not voting)

Constitutional rule requiring bills to be read on three several days suspended (failed to suspend)
by a vote of _____ yeas, _____ nays, _____ present, not voting

Read third time (amended); finally passed (failed to pass) by a (non-record vote)
(record vote of _____ yeas, _____ nays, _____ present, not voting)

Engrossed

Sent to Senate

CHIEF CLERK OF THE HOUSE

OTHER HOUSE ACTION:

Received from the House

Read and referred to Committee on _____

Reported favorably _____

Reported adversely, with favorable Committee Substitute; Committee Substitute read first time

Ordered not printed

Laid before the Senate

Senate and Constitutional Rules to permit consideration suspended by (unanimous consent)
(_____ yeas, _____ nays)

Read second time, _____, and passed to third reading by (unanimous consent)
(a viva voce vote)
(_____ yeas, _____ nays)

Senate and Constitutional 3 Day Rules suspended by a vote of _____ yeas, _____ nays

Read third time, _____, and passed by a (viva voce vote)
(_____ yeas, _____ nays)

Returned to the House

SECRETARY OF THE SENATE

OTHER SENATE ACTION:

_____ Returned from the Senate (as substituted)
(with amendments)

_____ House concurred in Senate amendments by a (non-record vote)
(record vote of _____ yeas, _____ nays, _____ present, not voting)

_____ House refused to concur in Senate amendments and requested the appointment of a conference committee
by a (non-record vote) (record vote of _____ yeas, _____ nays, _____ present, not voting)

_____ House conferees appointed: _____, Chair; _____,
_____, _____, _____

_____ Senate granted House request. Senate conferees appointed: _____, Chair;
_____, _____, _____

_____ Conference committee report adopted (rejected) by the House by a (non-record vote)
(record vote of _____ yeas, _____ nays, _____ present, not voting)

_____ Conference committee report adopted (rejected) by the Senate by a (viva voce vote)
(record vote of _____ yeas, _____ nays)